

SECTION 1: STATEMENT OF PURPOSE

The Hopi Tribal Council by enactment of this ordinance intends to:

Establish a cooperative and mutually beneficial association of all academic educational entities located on the Hopi Indian Reservation and/or serving Hopi people; and

Establish a set of educational expectations for Hopi students which will prepare them to enter adult life on or off the Reservation; and

Establish requirements for the education of Hopi people; and

Establish requirements for schools serving Hopi people.

SECTION 2: SHORT TITLE

This ordinance shall be cited as the Hopi Education Ordinance.

SECTION 3: AUTHORITY

The authority for this ordinance is Article VI, Section 1.(a), 1.(g), and 1.(l) of the Constitution and By-Laws of the Hopi Tribe.

SECTION 4: DEFINITION OF TERMS

- 4.1. Hopi Board of Education – A governing body, the members of which are appointed by the local boards of the educational entities located within the Hopi Reservation as the official representative of that entity.
- 4.2. Hopi Department of Education – The tribal department which oversees the operation of early childhood education, adult education, Hopilavayi, CTE and K-12 education on the Hopi reservation and for the Hopi people.
- 4.3. Local School Board - The governing body of a school organized for the management and operation of the school within a designated attendance area or boundary and including other entities (public and private) providing educational services to the students on the Hopi Reservation.
- 4.4. Attendance Area - A geographical area within which a specified school board provides educational services.
- 4.5. Educational Services - The educational services provided by a specific school board.

- 4.6 Hopi Education Plan – The standards and other education materials and processes/methods which assure that Hopi students are prepared to take an active and productive role in adult life on and/or off the Reservation.
- 4.7 Educational Standards - Academic performance criteria which are in accordance with applicable Arizona State and federal educational standards.
- 4.8 Agency Wide School Board – A governing body, the members of which are appointed by each of the school boards of schools located in the Hopi Education System, which meets as needed to carry out its functions in accordance with the provisions of P.L. 95-561. The Hopi Board of Education shall serve as the Agency Wide School Board.
- 4.9 Hopi Education System – a coalition of publically funded (federal, state, tribal) preschool, K-12 and higher educational entities whose purpose is to maximize Hopi student learning, made up of institutions having facilities or offices on the Hopi Reservation. Privately funded educational entities with facilities or offices on the Hopi Reservation may join the Hopi Education System. Educational entities serving Hopi students without facilities or offices on the Hopi Reservation may apply to HBE to become part of the Hopi Education System.
- 4.10 Career and Technical Education [formerly known Vocational Education] – CTE prepares learners for jobs that are based in manual or practical activities, and related to a specific trade, occupation or vocation, hence the term, in which the learner participates. It is sometimes referred to as technical education, as the learner directly develops expertise in a particular group of techniques or technology.

SECTION 5: DESIGNATION

- 5.1 Organization of Hopi Education System.
The basis of the organization of the Hopi Education system are the local school boards and policy advisory groups, each distinguished from the other in terms of attendance area, educational services provided, and source of financial support. Attendance areas and educational services shall be established as provided in this Ordinance and subject to limitations as determined by source of financial support.
- 5.2 Designation according to source of financial support.
Each local school board shall be designated according to the source of the majority of its financial support:
- 5.2.A Bureau (BIE) funded and operated schools- Majority of financial support is funding derived directly from the federal government to the school through P.L. 95-561.
- 5.2.B Bureau (BIE) funded schools (Grant School) – Majority of financial support is funding derived directly from the federal government to the school through P.L. 100-297.
- 5.2.C Bureau (BIE) funded schools (Contract Schools) - Majority of financial support is derived from the federal government to the school through P.L. 93-638.

- 5.2.D Public Schools- Majority of financial support is funding derived through the Arizona State School financing system, and subjecting that school to the provisions of Title 15, Arizona Revised Statutes.
- 5.2.D.1 Charter School – Majority of financial support is funding derived from the Arizona government to the school through A.R.S. §15-181, et seq.
- 5.2.E Private schools- Majority of financial support is derived through private sources.
- 5.2.F Higher Education Schools—a school that provides post-high school programs.

SECTION 6: THE ORGANIZATION, POWERS AND DUTIES OF THE HOPI BOARD OF EDUCATION

6.1 Membership, appointments, terms of office and officers.

- 6.1.A The Hopi Board of Education shall be composed of one member representing each of the educational entities/ boards in the Hopi Education System: Early Childhood/Headstart, each K-12 school, CTE, and Hopi Tribal Grants and Scholarships.
- 6.1.B The Education Line Officer, Bureau of Indian Education, Director, Hopi Department of Education and Executive Director, Hopi Education Endowment Fund, shall be “ex-officio” members of the Board.
- 6.1.C Members cannot be employed by a school or educational entity under the jurisdiction of the Hopi Board of Education, including the Hopi Department of Education or Bureau of Indian Education.
- 6.1.D The members of the Hopi Board of Education shall be appointed to four year terms expiring on the 31st day in December of the appropriate year.
- 6.1.E Members representing newly established school boards or other educational entities shall be appointed for initial terms of a duration to insure, as nearly as possible, that an equal number of members will be ending and beginning terms each year.
- 6.1.F The Hopi Board of Education shall hold its first meeting of the calendar year no later than January 30th. The meeting shall be called to order by the president or vice president of the preceding year. The first order of business shall be the certification of new Board members. The Board shall then choose from its membership a president and vice president to serve for a period of one year. The president and vice president of the previous year shall relinquish her/his responsibilities upon election of new officers unless re-elected. Whenever there is a vacancy in the office of president or vice

president, the Board shall elect a new officer as soon as possible to fill the vacancy for the remainder of the unexpired term.

6.2 Meetings, quorums, expense of members.

- 6.2.A The Hopi Board of Education shall hold a minimum of ten meetings each year at times it may direct. Regular meetings shall be announced with agenda items, date, place and time specified and publicly posted in each of the Community Centers and Post Offices serving Hopi communities not less than forty-eight (48) hours in advance of the meeting. Special meetings may be called by the president with not less than twenty-four (24) hours notice in advance of the meeting.
- 6.2.B A quorum, consisting of a majority of certified Hopi Board of Education members, shall be present to hold an official meeting of the Hopi Board of Education.
- 6.2.C A majority vote of all present members of the Board is necessary for validation of an act of the Board.
- 6.2.D All meetings where official action is taken shall be public meetings. The Board may go into executive session to discuss, but not act upon, sensitive or legal matters.
- 6.2.E Members shall be paid travel and attendance fees as appropriated from the Hopi Tribal general funds.

6.3 General powers and duties:

The Hopi Board of Education shall:

- 6.3.A Keep an official record of its proceedings.
- 6.3.B Make rules and regulations for its own governance.
- 6.3.C Determine the policy and work undertaken by the Board.
- 6.3.D Delegate to the Director, Hopi Board of Education as well as Director, Hopi Department of Education, the implementation of policies.
- 6.3.E Serve as Agency-wide School Board with all the responsibilities and authority accorded thereto by P.L. 95-561.
- 6.3.F Review and approve the budget submitted to them by the Hopi Department of Education.
- 6.3.G Submit an annual budget request to the Hopi Tribal Council for funds necessary for proper operation of the Hopi Board of Education.
- 6.3.H In cooperation with the Hopi Department of Education, assess reservation-wide

educational needs.

- 6.3.I In cooperation with the Hopi Department of Education, set reservation-wide educational goals.
 - 6.3.J Serve as the Tribal organization responsible for assisting local schools regarding education issues coming before the Hopi Tribal Council.
 - 6.3.K Verify eligibility of newly selected Hopi Board of Education members according to procedures specified in this ordinance.
 - 6.3.L Employ a permanent staff as necessary to carry out the purposes of this Ordinance.
 - 6.3.M Support/Provide Oversight/Facilitate Hopi Language instruction development.
 - 6.3.N Support/Provide Oversight/Facilitate lobbying efforts for education at the tribal, state and national level.
 - 6.3.O Approve requests for educational research.
 - 6.3.P Provide oversight authority over the Hopi Department of Education and over the implementation of education legislation.
 - 6.3.Q Assist the Hopi Tribe in consultation with federal, state and local officials regarding any proposed changes in educational programs, including new schools, school closures, consolidations and education budget initiatives.
 - 6.3.R Coordinate with and address issues and concerns of off-reservation schools which enroll Hopi students.
 - 6.3.S Have authority to enforce the provisions of this ordinance as well as the rules and policies of the Board.
- 6.4 A Board member's position on the HBE shall be declared vacant by the HBE when the member no longer meets HBE membership requirements, when convicted of a felony, engages directly in activities that are a threat or harmful to students or misses three regular meetings without proper excuse.
- 6.5 A Board member is subject to recall or removal by the school board from which the board member was elected in the discretion of the local school board.

SECTION 7: TRIBAL EDUCATION DEPARTMENT

- 7.1 The Hopi Department of Education is established with the duty and power to administer the Hopi

Education Ordinance, unless such powers are otherwise delegated by Hopi tribal law. In exercising its responsibilities, the Department shall seek to work cooperatively with all educational entities located on the Hopi Reservation, as well as the Hopi Board of Education.

- 7.2 Subject to review by the Hopi Board of Education, the Director of the Department of Education shall exercise the following powers:
- 7.2.A Administer and enforce the Education Ordinance. In doing so, the Director shall:
 - 7.2.A.1 Exercise authority over administration and operation of the Department of Education functions and over compliance with this Ordinance and these regulations by tribal educational institutions subject thereto;
 - 7.2.A.2 Maintain current knowledge of the law and procedures in administration and enforcement of federal and tribal educational laws, and serve as the principal professional and technical advisor to the Hopi Tribal Council and Hopi Board of Education on all matters relating to education within the jurisdiction of the Hopi Tribe;
 - 7.2.A.3 Coordinate all available tribal and non-tribal resources to implement this Ordinance and to generally improve the quality, condition and progress of education within the Hopi Reservation;
 - 7.2.B Provide leadership in and otherwise promote the improvement of education on the Hopi Reservation, including, through constant contact with educators, research, planning, and evaluation of education services;
 - 7.2.C Consistent with any applicable federal or tribal privacy laws, establish a uniform system for the gathering, compiling, and reporting of educational data from local schools and other educational institutions, the Tribe, the state and federal governments. The Department shall use the data to evaluate and ensure compliance with this Ordinance, and to improve generally the condition and progress of education on the Reservation.
 - 7.2.D Report the current results of the gathering and compiling of data to the Hopi Tribal Council and Hopi Board of Education. Such reporting shall include, but not be limited to, a State of the Reservation Education Report, prepared annually by the Department. The State of the Reservation Education Report shall detail the conditions, needs, and current progress of education on the Reservation, and shall include recommendations of the Director regarding needed legislation or action on behalf of education;
 - 7.2.E Communicate to school boards, the governing bodies of other educational institutions, and educators all information and instructions regarding curriculum, education standards, and educational policies and programs established and developed under this Ordinance;
 - 7.2.F Act as a continuous liaison between the Hopi Tribe, Bureau of Indian Education and the State Board of Education on education matters. This shall include, but not be limited to,

attending and interacting at meetings of school boards, the State Board of Education, and the state legislature. The Director shall serve on Tribal, Federal or State committees as directed by the Hopi Board of Education.

- 7.2.G Develop tribal curriculum.
- 7.2.H Report on compliance by local schools and other educational institutions with tribal curriculum, education standards and educational policies. Compliance shall be evaluated as part of the data gathering provisions of this Ordinance;
- 7.2.I Coordinate with the Hopi Board of Education to promote the purposes of this Ordinance.
- 7.2.J Meet with non-education programs such as law enforcement, tribal court and social services to:
 - 7.2.J.1 Discuss need for assisting schools in addressing tribal education needs and problems; and
 - 7.2.J.2 Develop strategies and plans for coordinating tribal resources on addressing the needs and problems [e.g. truancy, drug abuse, child welfare, etc].

SECTION 8: THE ORGANIZATION, POWERS AND DUTIES OF THE LOCAL SCHOOL BOARDS

- 8.1 Organizational Criteria.
Each local school board or educational entity shall, in its policies and procedures, establish its own criteria for membership, procedures for election, recall, terms of office and the conduct of meetings.
- 8.2 General Power and Duties.
All local school boards shall:
 - 8.2.A Keep an official record of their proceedings.
 - 8.2.B Establish policies and procedures, inclusive, at a minimum of the provisions of the Sections above and providing rules and regulations for their own governance.
 - 8.2.C Determine policy and work undertaken by the Board.
 - 8.2.D Review and approve the local school financial plan based on resources available to the local school.
 - 8.2.E Employ and discharge local school personnel in accordance with established personnel policies and procedures.
 - 8.2.F Have authority to waive Indian preference or Bureau of Indian Education standards in accordance with provisions of applicable law.

- 8.2.G Appoint a representative for membership on the Hopi Board of Education.
- 8.2.H Submit to the Hopi Board of Education for aggregation, data and information which include, but are not limited to, enrollment figures by grade level, attendance, academic achievement summaries, graduation and drop-out rates.
- 8.2.I Submit a copy of the board policies and procedures to the Hopi Board of Education.
- 8.2.J Comply with policies and procedures for the reporting of child neglect and abuse in accordance with P.L. 101-630, as amended, P.L. 101-647, as amended, and Hopi Tribal Ordinance #35 (Hopi Children's Code), as amended.
- 8.2.K Develop a student handbook that includes local school policies, definitions of suspension, expulsion, and other appropriate terms and ensure that each student and their parents or guardians, as well as all school staff members are provided with a copy of student rights and responsibilities each school year.
- 8.2.L Work directly with the Hopi Board of Education for improvement efforts and to coordinate needs and accomplishments with other schools and with the Hopi Tribe.

SECTION 9: ESTABLISHMENT OF ATTENDANCE AREA DESIGNATION

- 9.1 Physical Description of Attendance Area Required.
A description of the attendance area with sufficient clarity to make the boundaries readily identifiable shall be developed and maintained at the Hopi Board of Education for each school in the Hopi Education System.
- 9.2 Criteria for Hopi Board of Education Review of Attendance Area Description for New Schools.
The written description of the Attendance Area shall be presented to the Hopi Board of Education for review not later than 8 months following the first local school board election. The review shall include consideration of the following factors:
 - 9.2.A Operational Cost
 - 9.2.B Travel time and distance
 - 9.2.C Local terrain
 - 9.2.D Number of pupils
 - 9.2.E Overlap, if any, with attendance area description of neighboring schools.
 - 9.2.F Maintaining cultural and linguistic consistency within a specific school.

- 9.3 Hopi Board of Education Verification that Attendance Area Description Meets Criteria.
The Hopi Board of Education shall within thirty (30) working days determine if the attendance area description is appropriate and is supportive of reservation-wide educational interests.
- 9.4 Conflicting Attendance Area Descriptions Referred Back to Affected School Boards.
Conflicting Attendance Area Designations shall be referred back to the affected school boards for negotiation. Within thirty (30) days from the date of referral the affected school boards shall present modified non-conflicting Attendance Area description on to the Hopi Board of Education or serve notice that they have failed to resolve the conflict.
- 9.5 Hopi Board of Education will Determine Attendance Areas for Local School Boards Unable to Resolve Conflict.
In the event that the local school boards, within the prescribed period of time, are unable to resolve the conflict, the Hopi Board of Education shall, within thirty (30) working days of receiving notification of failure to resolve the conflict, on the basis of data obtained through its own study of conflict, designate Attendance Areas for the local school boards.
- 9.6 Modification of Attendance Area Designation.
Modification of a designation shall be effective through the procedure prescribed above in Sections 9.1 – 9.5 above.

SECTION 10: OPEN ENROLLMENT FOR SCHOOLS WITH STUDENTS IN K-8TH GRADE

- 10.1 Enrollment
Notwithstanding school attendance boundaries, parents may enroll their students in the school of their choice provided that:
- 10.1.A the affected out of boundary school has student/teacher ratio space capacity to accept those children according to the BIA Education Space Guidelines and 25 CFR §36.11; and
- 10.1.B either the travel distance from the school to the pickup point for the out of boundary student does not exceed twenty miles, the respective school is willing to forgo reimbursement for transportation of a student living more than twenty miles from said school, or the parent/guardian is willing to provide transportation for their child.
- Enrollment priority shall be given to those students residing within the attendance area of the respective school. Each local governing board shall have the discretion to delegate authority to the respective local school administrator to approve or disapprove out of boundary enrollment requests on a case by case basis. Decisions made by the local school administrator pertaining to out of boundary enrollment requests may be appealed to the respective governing board. The local governing board shall have the final authority in making a determination.
- 10.2 Transfers
Upon proper notification of an out of boundary transfer, the originating school shall forward the

student's cumulative folder, attendance records and discipline files to the accepting school.

As a condition of approval of a transfer, the parent/guardian and the student must agree to abide by the rules, standards, and policies of the receiving school. The change in enrollment is subject to revocation if the terms and conditions of all applicable rules, standards and policies are not adhered to by the student and the parent/guardian.

10.3 Transportation

Local school boards shall have the authority to establish bus routes that are in the best interest of the school. In establishing such routes, factors, such as safety concerns, bus capacity, number of students affected, school schedules, bus schedules, cost effectiveness, travel distance, travel time and road conditions may be considered.

10.4 Enrollment Space Capacity

The general standards for determining the number of students assigned to a particular classroom are based on the BIA Education Space Guidelines and 25 CFR §36.11. Accordingly, the following guidelines shall serve to inform decisions regarding maximum enrollment levels.

Grade Level	Student-Teacher Ratio
K	20:1
1-3	22:1
4-12	25:1

Exceptions may be made to above referenced Student-Teacher Ratio under the following conditions:

- 10.4.A Additional classroom space is not available for establishing another class; or
- 10.4.B The school, Agency, Area and Office of Indian Education Programs Applicant Supply File has been exhausted and the required teacher position cannot be filled. However, efforts to fill the vacancy shall be continued.

SECTION 11: ESTABLISHMENT OF NEW SCHOOLS, MERGER OF EXISTING SCHOOLS

11.1 Establishment of new schools.

When petitioned by 10% of the eligible voters in an affected area or at the discretion of HBE, HBE shall initiate a feasibility study. The feasibility study should include number of potential students, programs and financial support. The feasibility study shall be provided to HBE for a determination whether to proceed with the establishment of the new school.

- 11.1.A Within 90 days of receipt of the feasibility study Hopi Board of Education shall determine whether to pursue the new school or not and take appropriate action.
- 11.1.B A majority vote in favor of establishing a new school shall also authorize an election of a school board.-This school board shall be responsible for the planning,-development

and establishment of the new school. The interim school board shall meet certification requirements as prescribed in Section 8 within one year following majority approval of the new school.

11.2 Organization Procedures for New School Boards.

Within three weeks of election, a meeting of a new school board shall be convened by the presiding officer of the Hopi Board of Education who will chair the meeting until new members are sworn in and the board chooses a president. The newly-elected president will chair the rest of the initial meeting. Agenda items shall be election of the remaining officers and the presentation of board certification by the Hopi Board of Education President.

11.3 Merger of Existing Schools:

11.3.A When school boards for two or more schools in adjoining school Attendance Areas wish to effect a merger of schools serving their Attendance Areas, they shall present a request to the Hopi Board of Education setting forth the reasons for the merger and the merger plan. The Hopi Board of Education shall consider the request and make a determination taking into account the best interests of the impacted students. If so approved, the merger shall become effective in accordance with the established merger plan.

11.3.B The Hopi Board of Education may recommend that a plan be developed for the merger of schools or school programs. Such a recommendation shall be submitted to the local school boards for consideration.

SECTION 12: PROVISIONS FOR PRIVATE SCHOOLS

12.1 Private schools are encouraged by the Hopi Tribe as a means to provide alternative curriculum, techniques and approaches to the education of Hopi students. Even so, in order to protect Hopi students and ensure adequate and appropriate education for them, the Tribe requires private schools to follow certain guidelines. Parents may freely choose to send their students to a private school, a state funded school or a BIA funded school.

The guidelines that follow are required for schools providing a school year program that students will attend in lieu of a program at a publically funded school.

12.1.A Private schools shall provide student and parental rights and communication as outlined in other sections of this ordinance.

12.1.B Private schools may choose to join the Hopi Educational System and the Hopi Board of Education.

12.1.C Private schools on the Hopi Reservation shall be regionally accredited or provide the Hopi Department of Education information as to how they are striving for continuous improvement.

- 12.1.D Private schools shall ensure that students are making adequate academic achievement in order that they could, if they so chose, transfer to a state or BIA funded school on the Hopi Reservation and be placed with students of the same grade or age. The private school shall use state and/or nationally normed instruments for students age 8 and over, to assure such progress.

SECTION 13: MANDATORY EDUCATION REQUIREMENTS

- 13.1 Duties of Parent/Guardian to Enroll Child.
Every parent, guardian or other person having control and charge of a child from the age of five to the child's eighteen birthday shall enroll the child in school for the entire school year, and shall be responsible for the child's attendance at all required class sessions unless the child has an excused absence or graduates from high school.
- 13.2 Duties of Child to Attend School.
Every school age child is required to attend all scheduled class sessions of the school in which the child is enrolled unless the child has an excused absence.
- 13.3 Exceptions.
A child and his or her parent, guardian or other person having control and charge of a child may be excused from the requirements of the Section and shall not be subject to any penalties if:
- 13.3.A the child has received a certificate of high school equivalency [GED];
 - 13.3.B the child has been barred from school attendance by a school disciplinary action, provided the child is under the supervision of the parent/guardian;
 - 13.3.C the school attended by the child has excused such child from attendance because the child is physically or mentally unable to attend school and the school is providing all legally required services in a home-based or other approved program;
 - 13.3.D the child is a parent and his or her parental duties make attendance at a regular school a severe hardship
 - 13.3.F the parent/guardian of a five year old child has presented satisfactory evidence that it would not be in the best interest of the child to enroll the child in school at age five;
 - 13.3.G the child has been temporarily excused upon the request of a parent/guardian for purposes agreed upon by the school authorities and the parent, provided that such excused absences shall not be permitted if deemed to cause a serious adverse effect upon the student's educational progress;

- 13.3.H the child is temporarily absent from school with the consent of a parent/guardian in order to attend cultural events or for other cultural purposes; or
- 13.3.I the child is involved in a bona fide (by state or tribe) homeschooling program.

SECTION 14: STUDENT RIGHTS

- 14.1 Each of the schools within the Hopi Educational System shall ensure that the constitutional, tribal, statutory, civil and human rights of students are respected and preserved. All student rights, due process procedures, and educational practices shall afford students consideration of the student's traditional customs and practices.
- 14.2 All students will be accorded the following rights:
 - 14.2.A From age 5 to 18 or graduation, all students will be afforded the right to an education;
 - 14.2.B The right to an education that shall take into consideration Native American values;
 - 14.2.C The right to an education that incorporates applicable Tribal and Federal constitutional and statutory protections for individuals; and
 - 14.2.D The right to due process. Parents/guardians and students shall be advised of due process procedures when necessary or requested.
- 14.3 These rights shall be included in a student handbook that shall be provided to all students and their parents or guardians as well as all school staff members each year.

SECTION 15: HOPI LAVAYI

- 15.1 Hopi language and culture are vital and an essential element of the life, culture and identity of the Hopi people. The Hopi Tribe recognizes the importance of revitalizing and perpetuating Hopilavayi. Students are fully capable of fluency in the Hopi language and the English language and complimentary instruction in both native languages and cultures and the English language and culture enhance overall educational skills and achievement of students. Instruction in the Hopi language shall be mandated for all grade levels in all schools located on the Hopi reservation.
- 15.2 Parental Involvement. It shall be the policy of the Hopi Tribe to encourage parents to teach their children Hopi language and culture, and all Hopi educational institutions shall involve parents in the process of education to the maximum extent practicable.
- 15.3 Curriculum and language teacher qualifications shall be developed by Hopilavayi Program in collaboration with the Hopi Department of Education.

SECTION 16: CAREER AND TECHNICAL EDUCATION [CTE]

- 16.1 The Hopi Tribe shall advocate with federal, state and private sources for adequate funding of Career and Technical Education programs. The Hopi Tribe shall integrate educational planning with economic planning and develop agreements and joint efforts for the sharing of vocational education costs, facilities and programs. In order to increase the vocational opportunities available to youth and adults and to make the most efficient use of existing vocational educational resources, the Hopi Board of Education and the Hopi Department of Education shall coordinate, with other entities, the development of comprehensive CTE planning.
- 16.2 Career education shall be integrated into the basic curriculum of all schools in all appropriate content areas and at all grade levels.
- 16.3 CTE programs shall be realistically designed to serve the needs of people of all ages. CTE programs should be determined according to identified needs, employment statistics, current occupational surveys, and local, state and national labor market demands, including the demands of new and emerging occupations. They should reflect the skills needed to develop the Hopi economy.

SECTION 17: SCHOOL FACILITIES AND OPERATIONS

- 17.1 All educational programs located within the Hopi Reservation or serving significant numbers of Hopi students shall be housed in facilities that are safe, accessible, and appropriate to the purposes for which they are used, and maintained in good repair.
- 17.2 The Hopi Board of Education may assist in planning efforts with schools and school systems serving the Hopi Reservation and with those educational institutions receiving federal funding to educate Hopi students to accomplish the following provisions:
- 17.2.A When planning construction, expansion, consolidation or closure of any school within the Hopi Reservation, the decision-making entity shall, from the initial stages, consult with the affected school boards, the Hopi Tribe, affected local communities and with those students, parents and staff who use the facility, and shall incorporate the desires of these parties into their plans to the greatest extent feasible.
- 17.2.B The construction, expansion, and renovation of any school facility shall conform to all applicable tribal, state and federal health and safety regulations, to the established safety and building codes.

SECTION 18: PRIOR ORDINANCES AND RESOLUTIONS

This ordinance, as amended, supersedes and replaces any resolutions, laws or ordinances which are in conflict with this Ordinance.

SECTION 20: SEVERABILITY

If any portion of this Ordinance shall be ruled invalid by the Hopi Tribal Courts, Federal Courts, or courts of competent jurisdiction, that portion shall cease to be operative but the remainder of this Ordinance shall continue in full force and effect.

SECTION 21: AMENDMENTS

This Hopi Education Ordinance may be amended by Resolution of the Hopi Tribal Council, upon recommendation of the Hopi Board of Education. Prior to amendment, comments will be solicited from local school boards and communities for consideration. Review of the Hopi Education Ordinance will be made bi-annually by the Hopi Board of Education in conjunction with the Hopi Department of Education.

SECTION 22: EFFECTIVE DATE

This Ordinance, as amended, shall be effective upon its approval by the Hopi Tribal Council.

DRAFT